

Report Date: November 5, 2008

United States District Court

for the

Eastern District of Washington**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender***(Probation Form 49, Waiver of Hearing is Attached)*FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

NOV 13 2008

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

Name of Offender: Jack Thomas Lamere

Case Number: 2:97CR00022-001

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Chief U.S. District Judge

Date of Original Sentence: 10/14/1997

Type of Supervision: Supervised Release

Original Offense: Conspiracy to Possess With Intent
to Distribute Methamphetamine, Amphetamine, and
Cocaine, 21 U.S.C. § 846; Possession With Intent to
Distribute Methamphetamine, 21 U.S.C. § 841(a)(1)

Date Supervision Commenced: 09/22/2008

Original Sentence: Prison - 155 Months; TSR - 60
Months

Date Supervision Expires: 09/21/2013

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 15 You shall participate in the home confinement program for 90 days. You shall abide by all the requirements of the program, which will include electronic monitoring or other location verification system. You shall pay all or part of the costs of the program based upon your ability to pay. You are restricted to your residence at all times except for employment, education, religious services, medical, substance abuse, or mental health treatment, attorney visits, court appearances, court-ordered obligations, or other activities as pre-approved by the supervising probation officer.
- 16 You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.
- 17 You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.
- 18 You shall not enter into or remain in any establishment where alcohol is the primary item of sale.

CAUSE

Mr. Lamere released from Bureau of Prisons' custody on September 22, 2008. He immediately reported to the U.S. Probation Office and completed his intake for supervised release. Due to his prior history of substance abuse, he was referred to New Horizon Care Centers for the purpose of completing a substance abuse assessment. On October 3,

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2008, Mr. Lamere completed his assessment and was diagnosed dependent to amphetamine and cocaine. It was recommended that he complete intensive outpatient treatment. He began his first treatment session with New Horizon on October 22, 2008.


On October 26, 2008, at 1:41 a.m., Jack Lamere was arrested by the Spokane Police Department for attempting to elude a police vehicle. In the process, he crashed his vehicle into a tree and retaining wall belonging to Spokane Transit Authority. Mr. Lamere admitted to the arresting officer that he ran because he had been drinking alcohol and was on probation. The report stated he admitted to having spent 12 years in prison, and having been released a month earlier.

Mr. Lamere was held in Spokane County Jail for 72 hours and was released as no complaint was filed by the state. He contacted the undersigned officer and reported the incident immediately. Mr. Lamere provided a urine sample on November 3, 2008, which tested presumptive positive for marijuana. He signed an admission statement that he used marijuana on October 31, 2008. Mr. Lamere's drug use and conduct was staffed with his counselor at New Horizon. It was recommended that he enter and complete inpatient treatment. An inpatient entrance date has been reserved at Pioneer Center East to address Mr. Lamere's substance abuse issues. Mr. Lamere further indicated he would like the opportunity to be screened for the Sobriety Treatment and Education Program for the Eastern District of Washington (STEP).

Mr. Lamere has agreed to serve a sanction of 90 days home confinement to address the violation behavior. He has also agreed to the additional conditions of prohibition of alcohol consumption, and the frequenting of establishments where it is sold. The home confinement would commence upon his completion of inpatient treatment, and allow for enhanced supervision during his initial transition period back into the community. Further, this officer is requesting a modification of his drug testing requirement pursuant to Ninth Circuit case law, U.S. v. Stephens.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 11-5-08


Matthew L. Thompson
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☒ The Extension of Supervision as Noted Above
☒ The Modification of Conditions as Noted Above
☐ Other


Signature of Judicial Officer

Nov. 12, 2008

Date